

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PIETRO ERNEST TERRELL,

Petitioner,

File No: 1:08-cv-179

v.

HON. ROBERT HOLMES BELL

CAROL HOWES,

Respondent.

**ORDER APPROVING AND ADOPTING
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

On March 1, 2011, Magistrate Judge Joseph G. Scoville entered a Report and Recommendation (“R&R”) recommending that this Court dismiss Petitioner’s due-process claim arising from the running of the statute of limitations and order Respondent to file an answer to all remaining claims. (Dkt. No. 59.) The R&R was duly served on the parties, no objections have been filed, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

IT IS HEREBY ORDERED that the Magistrate Judge’s March 1, 2011, R&R (Dkt. No. 59) is **APPROVED and ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that Petitioner’s due-process claim arising from the running of the statute of limitations, identified as ground VIII in his initial brief (Dkt. No. 2) and as part of ground 4 in his amended habeas petition (Dkt. No. 5) is **DISMISSED** on its merits.

IT IS FURTHER ORDERED that Respondent shall file an answer to all remaining habeas corpus claims, including the claim framed in Petitioner's supplemental brief (Dkt. No. 58) within thirty days.

Dated: March 17, 2011

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE